

Message Text

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PAGE 01 MANILA 11210 291314Z

43

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C O N F I D E N T I A L MANILA 11210

CINCPAC FOR POLAD

E.O. 11652: GDS

TAGS: PINT, RP

SUBJECT: MARCOS' REMARKS ON CONSTITUTION

REF: MANILA 10890

BEGIN SUMMARY: PRESIDENT MARCOS HAS RESTATED MARTIAL LAW REGIME'S POSITION THAT IT HAS BEEN AND WILL CONTINUE TO BE GUIDED BY PHILIPPINE CONSTITUTION. MARCOS' SPEECH COUNTER-ACTS THE TOUGH STANCE AGAINST REGIME'S OPPONENTS ADOPTED LAST WEEK BY DEFENSE SECRETARY ENRILE AND RETURNS TO STANDARD LINE THAT PHILIPPINES IS UNDER "SMILING MARTIAL LAW." END SUMMARY.

1. PRESIDENT MARCOS SPOKE JULY 28 AT MALACANANG INDUCTION SEREMONY OF NEW OFFICERS OF PHILIPPINE CONSTITUTIONAL ASSOCIATION (PHILCONSA). ACCORDING TO THE PRESS, WHICH GAVE FRONT-PAGE COVERAGE TO HIS REMARKS (TEXT OF SPEECH UNAVAILABLE) MARCOS REITERATED TO PHILCONSA MEMBERS HIS "BELIEF IN THE CONSTITUTION AS AGAINST THE IDEOLOGY WHICH STATES THAT BEFORE A CONSTITUTION MUST BE IMPLEMENTED, WE MUST LAY THE BASIS AND THE FOUNDATION OF DISCIPLINE WITHIN THE SOCIETY."

CONFIDENTIAL

CONFIDENTIAL

PAGE 02 MANILA 11210 291314Z

2. PRESS REPORTED MARCOS REMINISCED ABOUT SEPTEMBER 1972

DECISION TO DECLARE MARTIAL LAW, TELLING AUDIENCE HE FACED AT THAT TIME A "VERY DIFFICULT CONSTITUTIONAL PROBLEM" OF WHETHER TO WIPE OUT THE ENTIRE EXISTING MACHINERY OF GOVERNMENT BY PROCLAIMING A "REVOLUTIONARY GOVERNMENT" OR TO BE GUIDED BY THE CONSTITUTION. MARCOS SAID HE OPTED TO FOLLOW THE CONSTITUTION ONLY AFTER UNDERGOING A "CRISIS OF CONSCIENCE." HE CONTINUED, "....HISTORY WILL MARK THAT IT WAS MY FEELING EHEN, AND IT IS STILL MY FEELING NOW, THAT THERE MUST BE SOME KIND OF STANDARD GUIDE EVEN FOR THE MOST POWERFUL." IN THE SAME VEIN, MARCOS AVERRED HE WAS ALARMED WHEN PRESENTED BY HIS ADVISERS (PRESUMABLY THE MILITARY) IN EARLY MARTIAL LAW DAYS WITH A "PROSCRIPTION LIST OF MEN WHO WERE ALLEGEDLY OBSTACLES TO A NEW SOCIETY AND THEREFORE SHOULD NOT ONLY BE INCARCERATED BUT ELIMINATED." MARCOS SAID "I FEARED THIS WAS A SELF-DEFEATING PROCESS, FOR IF THE PROSCRIPTION LIST WAS EVEN SO MUCH AS ALLOWED TO BE PUBLISHED AS APPROVED BY THE PLANNING GROUP, THIS WOULD BE UTILIZED AS AN EXCUSE BY ALL PARTIES CLAIMING TO BE SUPPORTERS OF THE NEW REGIME TO GIVE VENT TO THEIR PERSONAL VENGEANCE AND RETALIATION." HE CLAIMED HE OVERRULED THIS ADVICE BECAUSE HE REALIZED THAT ONCE BEGUN, LIQUIDATIONS WOULD HAVE NO END. INSTEAD, HE FOLLOWED THE ONLY ALTERNATIVE, THAT OF ABIDING BY THE CONSTITUTION, WHICH HE CALLED "THE MOST DIFFICULT, COMPLICATED COURSE." MARCOS CAUTIONED THAT THE CONSTITUTION SHOULD GUIDE SUBORDINATE GOVERNMENT OFFICIALS, WHO "IN THEIR AGGRESSIVE ENTHUSIASM SOMETIMES EXTEND THEIR OPERATIONS BEYOND THE BOUNDS ENVISIONED BY THEIR SUPERIORS."

3. THE GUIDED MANILA PRESS GAVE PROMINENT COVERAGE TO THE PRESIDENT'S REMARKS. DAILY EXPRESS CARRIED HEADLINE, "FM VOWS LOYALTY TO CONSTITUTION." TIMES JOURNAL ECHOED THIS LINE, SAYING MARCOS UPHELD THE CONSTITUTION AND ADVOCATED BASIC PRINCIPLES OF INDIVIDUAL RIGHTS AS OPPOSED TO STATE POLICE POWER. BULLETIN TODAY ADDED THAT MARCOS REITERATED HIS REJECTION OF A "VIOLENT PURGE OF SOCIETY" AND INDICATED HIS DETERMINATION TO PRESS FORWARD WITH "NORMALIZATION."

CONFIDENTIAL

CONFIDENTIAL

PAGE 03 MANILA 11210 291314Z

4. COMMENT: MARCOS' SPEECH CONTRASTED WITH HARD LINE TAKEN BY SECRETARY OF NATIONAL DEFENSE ENRILE LESS THAN ONE WEEK AGO WHEN HE REPORTEDLY PROMISED PROMPT AND POSSIBLY VIOLENT REPRESSION IN THE EVENT DISSENT GETS OUT OF HAND (SEE REFTTEL). TURNABOUT AT LEAST PARTIALLY REFLECTS DIFFERENCE IN NATURE OF THE TWO AUDIENCES- ENRILE ADDRESSED CONFERENCE ON CRIME REDUCTION, WHEREAS MARCOS SPOKE TO GROUP COMPOSED OF GOVERNMENT OFFI-

CIALS, BUSINESSMEN, AND LAWYERS, WHICH STYLES ITSELF
"PEOPLE'S GUARDIAN IN DEFENCE OF THE CONSTITUTION."
(PHILCONSA HAS BECOME INCREASINGLY DOMINATED BY MARCOS
SUPPORTERS; INDUCTED AS PRESIDENT AT MALACANANG CEREMONY WAS PRESIDENTIAL ASSISTANT AND MARCOS CRONY VICTOR
NITUDA). BUT MARCOS' REMARKS ALSO REPRESENT STEPPING
BACK FROM POSITION ADOPTED BY ENRILE, AND MAY EVEN
HAVE BEEN GENTLE REBUKE OF THE DEFENSE SECRETARY AND
HARDLINE MILITARY. REMARKS ARE ALSO IN A CONTRAST TO RECENT
HARDLINE DECREE ON SUBVERSION (BEING REPORTED SEPTTEL).
IN ANY EVENT, MARCOS EVIDENTLY SAW NEED TO REASSURE
PUBLIC HE HAS NO INTENTION OF DIVERGING TOO SHARPLY
FROM "SMILING MARTIAL LAW" PRINCIPLE, AS WELL AS TO
CAUTION ELEMENTS IN REGIME ADVISING A MORE DRASTIC
CRACKDOWN ON DISSENT TO BE MORE MODERATE, AT LEAST IN
PUBLIC. IN SO DOINGN MARCOS RELIED ON OFTEN-USED
FORMULA OF PROJECTING HIMSELF AS NATION'S BEST HOPE
FOR STAVING OFF MORE DRASTIC REPRESSION.SULLIVAN

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